

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. Applicant/Contact name and address: **Sieben Ranch Company-John Baucus  
PO BOX 1683  
Helena, MT 59624**
2. Type of action: **TEMPORARY CHANGE APPLICATION 30026594-41QJ  
(41QJ 22803) Northwestern Energy Pipeline Hydrostatic testing**
3. Water source name: **Little Prickly Pear Creek**
4. Location affected by project: **Sec. 35 TWP 13N RGE 4W, Lewis and Clark County**
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

**The applicant proposes a temporary change in the point of diversion, place of use and purpose of an irrigation water right number 22803-41QJ, for the hydrostatic testing of a newly constructed section of natural gas pipeline along Little Prickly Pear Creek in SEC. 2, 11, 14, 23, 26, 35 TWP 12N RGE 5W, Lewis and Clark County. Hydro testing is a requirement to ensure the integrity of the high-pressure natural gas transmission pipeline.**

**The proposed place of use includes SEC. 2, 11, 14, 23, 26, 35 TWP 12N, RGE 5W and SEC. 35 in TWP 13N RGE 5W. The water used to test the pipeline will be removed from the pipeline and land applied upon completion.**

**The applicant proposes to temporarily change the point of diversion to SEC. 35, TWP 12N RGE5W. The volume of water necessary to perform the above mentioned test would require 0.863 acre-feet of water withdrawn at an estimated maximum rate of about 1500 gallons per minute (3.35 cfs).**

**The applicant proposes to change the purpose from irrigation to industrial.**

**The proposed change would occur over a period lasting May through June 2007. Once the testing is completed and the pipeline proved to be serviceable; the proposed water right change will no longer remain valid.**

**The DNRC shall issue a water use permit to the applicant if the criteria in 85-2-311, MCA are met.**

6. Agencies consulted during preparation of the Environmental Assessment:  
(Include agencies with overlapping jurisdiction)

**MT Natural Heritage Program - Species of Concern, T/E**  
**MT Dept. of Environmental Quality - 2006 Montana Water Quality Integrated Report**  
**MT Dept. of Fish, Wildlife and Parks - Montana Fisheries Information System**  
**The Montana Noxious Weed Survey and Mapping System**

## **Part II. Environmental Review**

1. Environmental Impact Checklist:

<b>PHYSICAL ENVIRONMENT</b>
-----------------------------

### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

*Determination: No significant impact.*

**Little Prickly Pear Creek, the source of supply listed by DFWP as periodically dewatered from river mile 0.0 to 25.9. This water right change should not have any effect on the availability of water in this source as the historic diversion amount will remain the same or will be decreased due to decreased consumptive use.**

**Water quality** - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

*Determination: No significant impact.*

**The Montana DEQ Clean Water Act Information Center lists Little Prickly Pear Creek on the 2006 303d list. Agriculture, drinking water, industrial, and primary contact recreation were fully supporting and aquatic life and cold water fisheries were partially supporting. The proposed project will not affect water quality.**

**Groundwater** - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

*Determination: No significant impact.*

**DIVERSION WORKS** - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

*Determination: No significant impact.*

**The temporary change in diversion works will not significantly impact channels, flow modification, barriers, riparian areas, dams or well construction.**

#### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

***Endangered and threatened species*** - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”

**The MT Natural Heritage Program identified the Long-billed Curlew, *Numenius americanus*, the Brewer’s Sparrow, *Spizella breweri*, the Sage Thrasher, *Oreoscoptes montanus*, the Canadian Lynx, *Lynx canadensis*, the Brown Bear, *Ursus arctos*, the Bobolink, *Dolichonyx oryzivorus*, the Quaking Aspen, *Populus tremuloides*, and Lewis’s Woodpecker, *Melanerpes lewis*, as species of special concern in the vicinity of the project.**

*Determination: No significant impact.*

**Long-billed Curlews prefer terrestrial habitat consisting of grasslands/herbaceous, estuarine habitat(s), and palustrine habitat(s). The species prefers breeding in prairies and grassy meadows, generally near water.**

**Brewer’s Sparrows can be abundant in sagebrush habitat and will breed in high densities. Direct causes of widespread decline are habitat loss, fragmentation, grazing, invasive grasses, fire, brood parasitism, predators and pesticides.**

**Sage Thrashers can be found in sagebrush plains, primarily in semi-arid situations, and are rarely found around towns. This species will thrive where sagebrush habitat is maintained.**

**Canada Lynx generally occur in boreal and montane regions dominated by coniferous or mixed forest with thick undergrowth; may also enter open forest, rocky areas, and tundra to forage for abundant prey.**

**Brown Bears are mostly found in arctic tundra, alpine tundra, and subalpine forests. The species was once found in a variety of habitats including: open prairie, brushlands, riparian woodlands, and semidesert scrub. Habitat loss and fragmentation as well as over hunting have resulted in a historical decline of this species.**

**Bobolinks breed in areas of tall grass, flooded meadows, prairie, deep cultivated grains, and hayfields. The species prefers habitat with moderate to dense vegetation, tall vegetation, and moderate deep litter.**

**State Champion Tree/Quaking Aspen persist in prairie regions due to their preference to full sun and its vigorous vegetative reproduction and clonal growth that is well-adapted to tope removal and drought**

**The Lewis Woodpecker are vulnerable to permanent losses of large snags necessary for nesting sites or degradation of foraging habitat. Important habitat features include an open tree canopy, a brushy understory with ground cover, dead trees for nest cavities,**

**No fish species of special concern were identified.**

**Wetlands** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

**Determination: No significant impact.**

**Ponds** - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

**Determination: No significant impact.**

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

**Determination: No significant impact.**

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

**Determination: No significant impact.**

**The Montana Noxious Weed Survey and Mapping System did not identified noxious weeds in the proposed project area. The landowner is responsible for controlling any establishment of noxious weed as a result of disturbance.**

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

**Determination: No significant impact.**

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

**Determination: No significant impact.**

**The State Historic Preservation Office was not contacted about this proposed project. The land has been historically used for pasture and crops and farming in the area would have already disturbed any historic sites. Since the property is located on private property, the decision to conduct a cultural inventory would be at the discretion of the property owner.**

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination: No significant impact.*

**The proposed project will not cause any additional impacts on land, water, or energy resources.**

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

*Determination: No significant impact.*

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

*Determination: No significant impact.*

**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

*Determination: No significant impact.*

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*

Yes \_\_\_ No X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

*Determination: No impact.*

**OTHER HUMAN ENVIRONMENTAL ISSUES** - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

***1. Impacts on:***

- (a) Cultural uniqueness and diversity? **No significant impact.**
- (b) Local and state tax base and tax revenues? **No significant impact.**
- (c) Existing land uses? **No significant impact.**
- (d) Quantity and distribution of employment? **No significant impact.**
- (e) Distribution and density of population and housing? **No significant impact.**
- (f) Demands for government services? **No significant impact.**

- (g) Industrial and commercial activity? **No significant impact.**
- (h) Utilities? **No significant impact.**
- (i) Transportation? **No significant impact.**
- (j) Safety? **No significant impact.**
- (k) Other appropriate social and economic circumstances? **No significant impact.**
2. *Secondary and cumulative impacts on the physical environment and human population:*  
Secondary Impacts: **No impacts were identified.**  
Cumulative Impacts: **No impacts were identified.**
3. *Describe any mitigation/stipulation measures*: **None**
4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*  
**Under the no action alternative, the project would continue to be used as it is today. There do not appear to be alternatives.**

### **PART III. Conclusion**

1. *Preferred Alternative*: **Issue the authorization for the proposed project.**
2. *Comments and Responses*: **There have been no comments or responses.**
3. *Finding*:  
Yes\_\_\_ No X *Based on the significance criteria evaluated in this EA, is an EIS required?*

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:* **An EA is the appropriate level of analysis for this action. There are no significant impacts identified, therefore an EIS is not required.**

*Name of person(s) responsible for preparation of EA:*

*Name*: **Lindsay Arthur**  
*Title*: **Water Resource Specialist**  
*Date*: **03/02/2007**